FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

C. A. No. 81/2007 in Company Appeal No. 8/2007 in
CAL No. 20/2006 in CMP No. 6/1999

Rajaram Dhonduji Meshram and nine ors.
...vs..
M/s. Hariganga Alloys and Steel Ltd. (In Liquidation) through its Official Liquidator, Nagpur and 106 Ors.

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM: A. P. LAVANDE & R. V. MORE, JJ.
DATED : 7th August, 2007

Heard Mr. Pendharkar, Senior Advocate for the appellants, Mr. Deshpande, Advocate for respondent Nos. 1 and 2 and Mrs. Venkatraman, Advocate for respondent Nos. 43 to 47, 49, 50, 52 to 66, 68 to 70, 72, 75, 76, 77, 79, 80, 83 to 89, 91.

By order dated 26.04.2007, this Court directed some of the respondents, who were not served, to be served by publishing a public notice as well as by registered post acknowledgment due. Pursuant to the said order, a notice came to be published in English language.

By this application, the appellants seek modification of the said order on the ground that unserved respondents have not given their detailed address in the application filed by them before this Court and as such it is

not possible for the appellants to serve them by registered post acknowledgment due.

This Court by order dated 26/07/2007, directed the appellants to take steps to serve unserved respondents within two weeks failing which the appeal against the unserved respondents shall stand dismissed.

Considering the facts and circumstances of the case, we find that the grievance made by the appellants has merit and, therefore, service of notice by registered post a/d deserves to be dispensed with. However, the appellants are directed to serve the unserved respondents by publishing notice in daily 'Lokmat'. The notice shall be published in Marathi language.

Time to serve unserved respondents is extended by permitting the appellants to serve unserved respondents by paper publication.

The application stands disposed of accordingly.

JUDGE **JUDGE**

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